



DEPARTMENT OF THE ARMY
PHILADELPHIA DISTRICT, CORPS OF ENGINEERS
WANAMAKER BUILDING, 100 PENN SQUARE EAST
PHILADELPHIA, PENNSYLVANIA 19107-3390

REPLY TO
ATTENTION OF

JUN 07 2000

Regulatory Branch
Application Section II

SUBJECT: CENAP-OP-R-199902949-24 (NW23)
NJDEP # 0301-99-0001.3 - 1.4
Project Name: NJ DEPT OF TRANSPORTATION
Applicant: New Jersey Department of Transportation
Waterway: Wading River
Location: Route 542 bridge, Washington and Bass River
Townships, Burlington County, New Jersey

Mr. William McLaughlin
New Jersey Department of Transportation
1035 Parkway Avenue
CN 600
Trenton, New Jersey 08625-0600

Dear Mr. McLaughlin:

This is in regard to your proposal to rehabilitate the above referenced bridge. Under current Federal regulations, a Department of the Army permit is required for work or structures in navigable waters of the United States and/or the discharge of dredged or fill material into waters of the United States including adjacent and isolated wetlands. Based upon our review of the information you have provided, it has been determined that the proposed work is approved by the existing Department of the Army nationwide permit (NWP) described below, provided the work is conducted in compliance with the general and special conditions specified in this letter.

Nationwide Permit 23. Approved Categorical Exclusions: Activities undertaken, assisted, authorized, regulated, funded, or financed, in whole or in part, by another Federal agency or department where that agency or department has determined, pursuant to the Council on Environmental Quality Regulation for Implementing the Procedural Provisions of the National Environmental Policy Act (40 CFR part 1500 et seq.), that the activity, work, or discharge is categorically excluded from environmental documentation because it is included within a category of actions which neither individually nor cumulatively have a significant effect on the human environment, and the Office of the Chief of Engineers (ATTN: CECW-OR) has been furnished notice of the agency's or department's application for the categorical exclusion and concurs with that determination. Prior to approval for purposes of this NWP of any agency's categorical exclusions, the Chief of Engineers will solicit public comment. In addressing these comments, the Chief of Engineers may require certain conditions for authorization of an agency's categorical exclusions under this NWP. (Sections 10 and 404)

This authorization does not affect your responsibility to obtain any other Federal, State or local approval(s) required by law for the proposed work before beginning work.

The enclosed table (Enclosure 1) identifies those NWPs which require a preconstruction notification (PCN) to the Corps of Engineers, those which have been regionally conditioned by the Division Engineer, and those which have been denied 401 Water Quality Certification (WQC) and/or Coastal Zone Management (CZM) consistency by the State. It is noted that CZM consistency

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from the State is only required for those activities in or affecting a State's coastal zone. Additionally, some of the NWP's do not involve a discharge of dredged or fill material, and as such, do not require a 401 WQC. For those NWP's not requiring a 401 WQC, the appropriate rows and columns have been identified with the term "NA". If the State has denied the required WQC and/or not concurred with the Corps' CZM consistency determination, the NWP authorization is considered denied without prejudice until an individual project specific WQC and/or CZM approval is obtained. This approval must be obtained in order for the activity to be authorized under the NWP and a copy provided to this office before work begins. Any project specific conditions required by the State for the WQC and/or CZM approval will automatically become part of the NWP authorization.

You should carefully note that this NWP authorization is based upon your agreement to comply with the terms and conditions of this NWP (Enclosure 2), including any and all attached project specific special conditions listed below. Initiation of any authorized work shall constitute your agreement to comply with all of the NWP's conditions. You should also note that the authorized work may be subject to periodic inspections by a representative of this office.

PROJECT SPECIFIC SPECIAL CONDITIONS:

1. All work performed in association with the above noted project shall be conducted in accordance with New Jersey Department of Transportation plans, sheets 1-15 of 15; "Key" sheet (sheet 1) entitled "State of New Jersey Department of Transportation PLANS OF WADING RIVER BRIDGE PERMIT PLANS CONTRACT NO. 017950162 BULKHEAD REHABILITATION AND PILE BENT REPLACEMENT." The project plans provide for the rehabilitation of the Route 542 bridge over Wading River, in Washington and Bass River Townships, Burlington County, New Jersey. The project will include construction of a new bulkhead in front of the existing bulkhead (will fill placed in the void between the two bulkheads), construction of new approach span pile bents, and the construction of a new fender system.
2. Construction activities shall not result in the disturbance or alteration of greater than 0.045 acre of waters of the United States, including wetlands.
3. Any deviation in construction methodology or project design from that shown on the above noted drawings must be approved by this office, in writing, prior to performance of the work. All modifications to the above noted project plans shall be approved, in writing, by this office. No work shall be performed prior to written approval of this office.
4. This office shall be notified at least 10 days prior to the commencement of authorized work by completing and signing the enclosed Notification/Certification of Work Commencement Form (Enclosure 3). This office shall also be notified within 10 days of the completion of the authorized work by completing and signing the enclosed Notification/Certification of Work Completion/Compliance Form (Enclosure 4). All notifications required by this condition shall be in writing and shall be transmitted to this office by registered mail. Oral notifications are not acceptable. Similar notification is required each time maintenance work is to be done under the terms of this Corps of Engineers permit.
5. Representatives of the U.S. Army Corps of Engineers shall be permitted to inspect the project during its phase of construction, and to collect any samples, or to conduct any tests deemed necessary.

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6. The permittee is responsible for ensuring that the contractor and/or workers executing the activity(s) authorized by this permit have knowledge of the terms and conditions of the authorization and that a copy of the permit document is at the project site throughout the period the work is underway.


7. All material to be used as fill shall be obtained from an upland source and shall be free of oil and grease, debris, wood, general refuse, plaster, and other pollutants, and shall contain no broken asphalt.

You are advised that this verification of NWP authorization is valid for two (2) years from the date of this letter, unless the NWP authorization is modified, suspended, or revoked. In the event that the NWP authorization is reissued and/or modified during that time period, this two-year expiration date will remain valid, provided the activity complies with any subsequent reissuance and/or modification of the NWP authorization.

The existing NWPs will expire on February 11, 2002. Activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon a NWP, will remain authorized provided the activity is completed within 12 months of the date of the NWP's expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization. As such, any work to be completed beyond this date in reliance upon this existing NWP must be completed by February 11, 2003. Activities completed under the authorization of a NWP which was in effect at the time the activity was completed, continue to be authorized by that NWP. Accordingly, it is incumbent upon you to remain informed of any changes to the NWP authorization(s).

Also enclosed is a pre-addressed postal card (Enclosure 5) soliciting your comments on the processing of your application. Any comments, positive or otherwise, on the procedures, timeliness, fairness, etc., may be made on this card. If you should have any questions regarding this matter, please contact James N. Boyer of this office at (215) 656-6731 or write to the above address.

Sincerely,



Frank J. Cianfrani
Chief, Regulatory Branch

Enclosures

NOTIFICATION/CERTIFICATION OF WORK COMMENCEMENT FORM

Permit Number: CENAP-OP-R-199902949-24 (NW23)
Name of Permittee: New Jersey Department of Transportation
Project Name: NJ DEPT OF TRANSPORTATION
Waterway: Wading River
County, State: Burlington County, New Jersey
Compensation/Mitigation Work Required: Yes_____ No X

TO: Department of the Army
U.S. Army Corps of Engineers, Philadelphia District
Wanamaker Building - 100 Penn Square East
Philadelphia, Pennsylvania 19107-3390
Attention: CENAP-OP-R

I have received authorization to rehabilitate the Route 542 bridge over Wading River, in Washington and Bass River Townships, Burlington County, New Jersey.

The work will be performed by:

Name of Person or Firm: _____

Address: _____

I hereby certify that I have reviewed the approved plans, have read the terms and conditions of the above referenced permit, and shall perform the authorized work in strict accordance with the permit document. The authorized work will begin on or about _____ and should be completed on or about _____.

Please note that the permitted activity is subject to compliance inspections by the Army Corps of Engineers. If you fail to return this notification form or fail to comply with the terms or conditions of the permit, you are subject to permit suspension, modification, revocation, and/or penalties.

Permittee (Signature and Date)

Telephone Number

Contractor (Signature and Date)

Telephone Number

NOTE: This form shall be completed/signed and returned to the Philadelphia District Office a minimum of 10 days prior to commencing work.

Enclosure 3

NOTIFICATION/CERTIFICATION OF WORK COMPLETION/COMPLIANCE FORM

Permit Number: CENAP-OP-R-199902949-24 (NW23)
Name of Permittee: New Jersey Department of Transportation
Name of Contractor:
Project Name: NJ DEPT OF TRANSPORTATION
County: Burlington
State: New Jersey
Waterway: Wading River

Within 10 days of completion of the activity authorized by this permit, please sign this certification and return it to the following address:

Department of the Army
U.S. Army Corps of Engineers, Philadelphia District
Wanamaker Building - 100 Penn Square East
Philadelphia, Pennsylvania 19107-3390
Attention: CENAP-OP-R

Please note that the permitted activity is subject to a compliance inspection by an Army Corps of Engineers representative. If you fail to return this notification form or fail to perform work in compliance with the permit, you are subject to administrative, civil and/or criminal penalties. Further, the subject permit may be suspended or revoked.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the above noted permit.

The authorized work was commenced on _____.

The authorized work was completed on _____.

Dredging authorized: Yes _____ No X . If yes, see *NOTE* below.

The volume of dredged material was _____ cubic yards.

The dredged material was placed at _____.

Signature of Contractor

Signature of Permittee

Address: _____

Address: _____

Telephone Number: _____

Telephone Number: _____

SPECIAL NOTE FOR MAINTENANCE DREDGING:

If the above referenced permit authorizes maintenance dredging, the permittee/contractor shall notify this office of the completion of the work by submitting this form for each dredging occurrence. This form may be reproduced for this purpose.